

## Message Text

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ORIGIN SS-25

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DRAFTED BY EA/J:RMDEMING:BB

APPROVED BY D/LOS:MR. MOORE

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

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EXDIS

E.O. 11652: XGDS-1

TAGS: PLOS, PFOR, US, JA

SUBJECT:JAPAN AND EXTENSION OF TERRITORIAL WATERS

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REF: (A) TOKYO 17748 (B) TOKYO 17993

1. DEPUTY SECRETARY INGERSOLL CALLED IN AMBASSADOR YASUKAWA ON DECEMBER 19 TO EXPRESS OUR SERIOUS CONCERN ABOUT REPORTS THAT JAPAN MIGHT DECLARE UNILATERALLY A TWELVE MILE TERRITORIAL SEA. THE DEPUTY SECRETARY SAID THAT WE UNDERSTOOD JAPAN'S FISHING PROBLEMS WITH THE SOVIET UNION, BUT EMPHASIZED THE ADVERSE IMPACT OF UNILATERAL ACTION BY THE GOJ ON THE LOS NEGOTIATIONS. HE ALSO NOTED THAT WE WOULD HAVE TO PROTEST SUCH UNILATERAL ACTION BY JAPAN, COMPLICATING OUR BILATERAL RELATIONSHIP. THE DEPUTY SECRETARY URGED THAT JAPAN INSTEAD CONSIDER ESTABLISHING A TWELVE MILE EXCLUSIVE FISHERIES ZONE WHICH WOULD SOLVE ITS FISHING PROBLEMS WITHOUT COMPLICATING THE LOS NEGOTIATIONS.

2. AMBASSADOR YASUKAWA SAID THAT THE GOJ WAS CONCERNED

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ABOUT THE STRAITS PROBLEM. HE NOTED THAT FORMER JDA

DIRECTOR YAMANAKA AND OTHER JAPANESE DEFENSE OFFICIALS HAD EARLIER ADVOCATED CLOSING THE STRAITS AROUND JAPAN ON THE THEORY THAT SUCH ACTION WOULD DISADVANTAGE THE SOVIETS FAR MORE THAN THE US, BUT AFTER DISCUSSING THE ISSUE WITH CNO HOLLOWAY, YAMANAKA AND THE JDA UNDERSTOOD AND SUPPORTED THE US POSITION. YASUKAWA SAID THAT THE PRESENT PROBLEM WAS CAUSED ONLY BY THE STRONG PRESSURE FROM COASTAL FISHING GROUPS BECAUSE OF THE FISHING ACTIVITY OF THE SOVIET UNION. HE SAID THAT HE COULD MAKE NO OFFICIAL STATEMENT BUT NOTED THAT PRESS REPORTS QUOTED FOREIGN MINISTER MIYAZAWA, IN A MEETING WITH A FISHERY GROUP ON DECEMBER 9, AS STATING THAT THE GOJ WAS STUDYING THE PROBLEM AND HOPED TO COME TO SOME CONCLUSION AFTER THE DIET SESSION. YASUKAWA SAID HE INTERPRETED THIS RESPONSE BY MIYAZAWA AS AN EFFORT TO BUY TIME.

3. IN RESPONSE TO THE DEPUTY SECRETARY'S SUGGESTION THAT JAPAN ESTABLISH A TWELVE MILE FISHERY ZONE IN LIEU OF AN EXPANDED TERRITORIAL SEA CLAIM, YASUKAWA EXPRESSED GENERAL AGREEMENT. HE SAID THAT HE HOPED THAT THE JAPANESE PRESS IN DISCUSSING THE PROBLEM HAD CONFUSED "TERRITORIAL SEA" WITH "FISHING ZONE", BUT HE ADDED THAT HE DID NOT REALLY KNOW. HE SAID THAT HE WOULD PROBABLY RECOMMEND THE FISHERY ZONE APPROACH TO HIS GOVERNMENT.

4. JOHN NORTON MOORE, THE DEPUTY SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR LOS CONFERENCE, POINTED OUT TO AMBASSADOR YASUKAWA OUR MUTUAL INTERESTS IN UNIMPEDED TRANSIT THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION SUCH AS MALACCA AND NOTED THAT A UNILATERAL CLAIM BY JAPAN TO A TWELVE MILE TERRITORIAL SEA WOULD SEVERELY UNDERMINE OUR COMMON STANCE AT THE LOS CONFERENCE THAT SUCH AN EXTENSION COULD ONLY BE AGREED UPON AS PART OF AN LOS TREATY WHICH CONTAINED PROVISIONS GUARANTEEING UNIMPEDED TRANSITS OF STRAITS.

5. YASUKAWA INQUIRED ABOUT THE STATUS OF THE 200 MILE FISHERIES ZONE BILL IN THE SENATE. THE DEPUTY SECRETARY SAID THAT WE HAD BEEN ABLE TO STAVE OFF PRESSURE THUS FAR AND THAT WE HAD CONSIDERABLE SUPPORT FOR OUR POSITION IN

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THE SENATE. HE SAID THAT WE WISHED TO DELAY A VOTE UNTIL AFTER THE LOS MEETING. YASUKAWA ASKED IF A VETO COULD BE SUSTAINED. THE DEPUTY SECRETARY SAID THAT WE DO NOT YET KNOW WHAT THE PRESIDENT'S POSITION ON A VETO WILL BE ALTHOUGH HE HAS DECLARED HIS OPPOSITION

TO THE BILL. HE SAID THAT WE NOW EXPECT A SENATE VOTE AFTER JANUARY 19 WHEN THE CONGRESS RECONVENES.

6. AT THE CONCLUSION OF THE MEETING YASUKAWA SAID THAT HE DID NOT WISH TO REVEAL TO THE PRESS THE SUBJECT OF HIS MEETING WITH THE DEPUTY SECRETARY AND WOULD SAY INSTEAD THAT THEY HAD DISCUSSED THE CONGRESSIONAL SITUATION IN REGARDS TO THE 200 MILE BILL. THE DEPUTY SECRETARY SUGGESTED THAT HE TELL THE PRESS THEY HAD DISCUSSED CIEC.

7. COMMENT: WE SUGGEST THAT EMBASSY FOLLOW UP WITH STRONG DEMARCH IN TOKYO REINFORCING POINTS MADE TO AMB. YASUKAWA AT WHATEVER LEVEL WILL BE MOST EFFECTIVE IN VIEW OF GREAT IMPORTANCE OF DETERRING UNILATERAL EXTENSION OF TERRITORIAL SEA.

8. WITH REGARD TO PARA 5 OF REFTEL (B), WE DO EXPECT STRAITS QUESTION TO BE HANDLED ALONG LINES OF SINGLE NEGOTIATING TEXT. US HAS SUGGESTED SEVERAL IMPROVEMENTS IN TEXT THAT HAVE BEEN COORDINATED WITH GOJ. ONE FACT TO BEAR IN MIND IS THAT THERE COULD BE SEVERAL YEARS BETWEEN SIGNATURE OF TREATY AND ITS ENTRY INTO FORCE. CONSEQUENTLY, EXTENSION OF FISHERIES ZONE IS BETTER SOLUTION FOR GOJ PROBLEM AND WE SHOULD AVOID IMPLICATION THAT GOJ STRAITS ISSUE WILL BE RESOLVED IN IMMEDIATE FUTURE BY LOS TREATY. KISSINGER

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